

Memo

To: Commissioners
From: Donna K. Harvey
Date: 10-24-11

Attached are the proposed revised Iowa Administrative Code Chapter 4 rules. The Department has made some changes based upon Commission, Area Agencies on Aging and Department staff comments. The following is a listing of the most noticeable changes:

1. Definitions of “State Plan on Aging” and “Entity” were added.
2. The definition of unit of general purpose local government changed a little to reflect provisions within the Older Americans Act and Code of Federal Regulation that were not included earlier.
3. Notice provisions to the Area Agency on Aging will be mailed to the Executive Directors and Board Chair. (Specifically-4.3(4) (a) (i), 4.6(2) (a))
4. Clarified the process to change planning and service areas, designation and dedesignation of area agencies on aging.
 - a. Due Process is still involved—notice, public hearing, public comments, development of a department proposed plan, submission to the Commission, Commission approval or disapproval, appeal and stay of decision during the appeal.
 - b. Language condensed into a clearer format for the general public to read and understand.

5. Designation of the Area Agency on Aging. All entities, including units of general purpose local government, interested in applying to become the Area Agency on Aging will need to go through the request for proposal process.
6. Removed the “Plan of Correction” language from Chapter 4 and will place into another chapter –to be done in the future.
7. Added language to distinguish between the state and federal appeal process. (See 4.3(8), 4.3(9), 4.4(8), 4.4(9), 4.6(7), and 4.6(8))
8. Added “d” under 4.6(1), allow for dedesignation by a change or reduction in the number of area agencies on aging if mandated by state or federal law.
9. Under continuity of service (4.5 and 4.7), language was added to allow the existing Area Agency on Aging to continue to provide services through the appeal process.
10. General changes were to:
 - a. Ensure heading and language throughout the document was clear and uniform
 - b. Ensure that the Older Americans Act language was consistent with proposed rules.